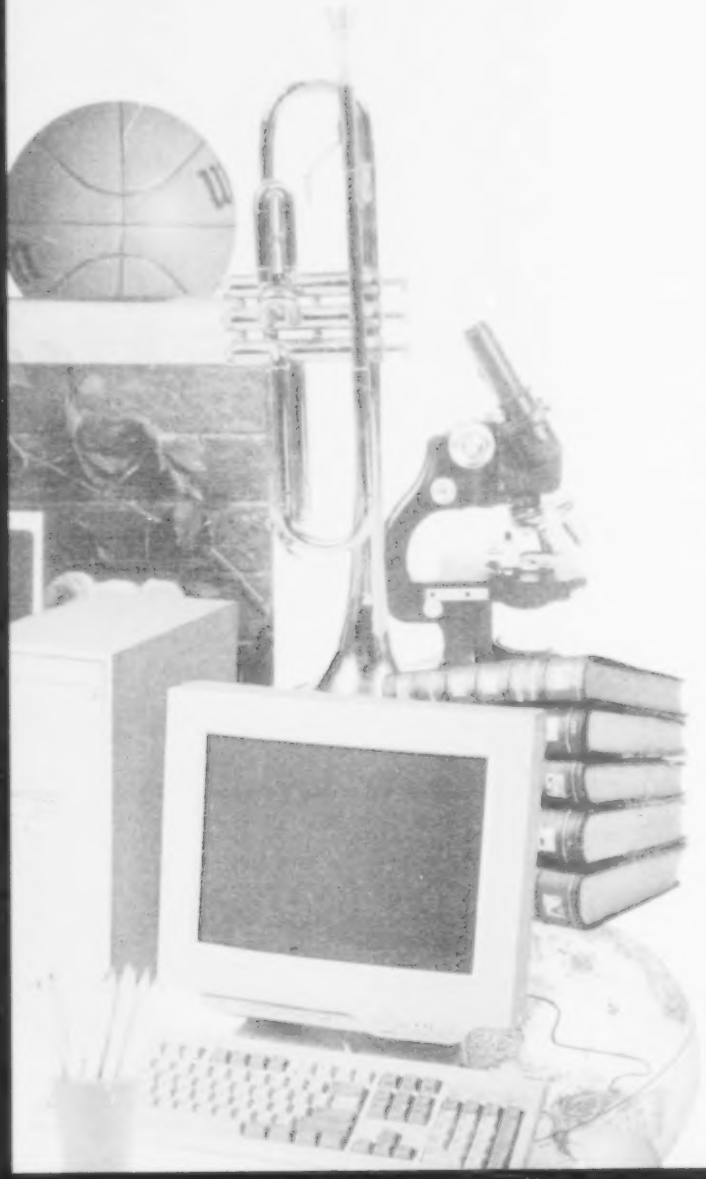
GOVERNMENT OF
NEWFOUNDLAND AND LABRADOR

School Fees

A Discussion Paper and Framework for Action



Department of Education
September 2004

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Introduction

In November, 2003, government announced its intention to consult with education stakeholders in a review of the school fees issue, with a view to developing standard guidelines for practices at the school board and school level.

Of specific interest was the recent release of a report entitled "Expanding Their Universe, Reshaping the Future — *A Report on the Impact of School Fees and Fundraising on Social Inclusion*." The report, undertaken by the Community Services Council (CSC) in conjunction with the MacMorran Community Centre, focused primarily on activities within the Avalon East School District. It was acknowledged, however, that the points raised were relevant to students, parents, schools and school boards throughout the province.

The CSC report concluded that many children were being excluded from school-based and school-sponsored activities because their families could not afford to pay the associated costs. It further suggested that children were sometimes subjected to pressure from school authorities — even, at times, in front of their peers — to pay outstanding school fees or other costs associated with school-based activities.

The report reiterated many of the points raised in a 2002 position paper released by the Newfoundland and Labrador Federation of School Councils (NLFSC), which called for provincial guidance in bringing some clarity and consistency to policies and practices surrounding school fees. Unfortunately, the issue is, and remains, a complicated one.

Although there is a legislative definition of "school fees", both the CSC and NLFSC reports use the term to apply to all costs associated with school materials (prescribed or not), as well as costs associated with various services, activities and events for which parents are asked to contribute. In some instances, the term has been used to describe the cost of textbooks to students in Grades 9-12, which government subsidizes by paying 40% of the cost, as well as a host of items individual teachers ask parents to supply, including specific name brand coloured markers, plastic placemats, storage boxes, facial wipes, and tissues.

Strictly speaking, the legitimate "school fees" charged to parents at the beginning of the school year are governed by Sections 13 and 14 of the *Schools Act, 1997* and are administered through school boards and schools.

History of School Fees

In Newfoundland and Labrador, as in other provinces, parents have always contributed to the education of their children. Even in earlier days, when families took their turn supplying wood for the school's pot-bellied stove or cleaning the schoolhouse, it was acknowledged that some contribution was necessary and expected. In 1952, the first regional School Tax Authority was established in Corner Brook as a means of supplementing government funding to education. By 1991, there were 22 such authorities across the province. Most individuals were required to pay school taxes (a poll tax of about $90-$130 annually, depending on the region) regardless of their income or whether they had children in the system. Businesses were taxed according to the local property tax rates. Only those whose annual income level was very low were exempted. For example, in 1991, the last full year the school tax was charged, the "exemption level" in the St. John's region was $7,000 annually, effectively ensuring that most working people were required to pay the tax.

In 1991, school taxes were contributing about $30 million annually towards the province's education system. While there was a great deal of public pressure to abolish what many saw as an unfair and regressive tax system, education authorities recognized they could not afford to lose the revenue without suffering the loss of programs and services. School Tax Authorities were abolished in1992 and, in public statements at the time, government representatives indicated that K-12 education would now be paid by government, with the exception of the cost of some textbooks and student supplies. The loss of revenue was addressed through a series of tax reforms, including a new business payroll tax and an adjustment in personal income taxes.

In the period between the abolition of school taxes and school board consolidation in 1996-97, individual schools introduced school fees of various types. They also continued to undertake various fundraising activities to enable students to avail of enhanced programs and services which were in addition to those made available through provincial funding. Some parents complained that the level of these fees was higher than that previously charged under the school tax system and were being charged for such items as course registration, lab materials, physical education equipment, computer paper, locker rentals/locks, library access, field trips, as well as for other, unspecified items and activities. Each September, parents expressed dissatisfaction and concern about school fees. While the regulation of those fees was within the jurisdiction of school boards, public dissatisfaction was often directed at government.

As a result, during discussions related to the drafting of *The Schools Act, 1996* it was decided to limit the imposition of fees, make them subject to the bylaws of the district school boards, and place responsibility for fundraising with school councils. The relevant provisions were retained in current legislation, the *Schools Act, 1997*.

Fees Referenced in Current Legislation

Supplies Provided to Students; Services After Hours

The specific sections of the legislation relating to "school fees" are Sections 13 and 14 of the *Schools Act, 1997*. Section 13 describes fees relating to supplies provided by the school, to the student, as well as fees charged for services provided to students outside school hours (such as team travel, competitions, and drama festival participation). It reads:

13 (1) A fee shall not be imposed upon a student or parent of a student with respect to the enrolment or attendance of that student or a program or course of study undertaken by that student in a school other than a private school.

(2) Subsection (1) shall not apply to

(a) a fee for the cost of supplies provided to a student;

(b) a fee for other services provided to a student outside school hours; or

(c) a fee payable by a student who possesses a student authorization under a Canadian visitor visa who has come to the province for the purpose of attending school.

Schools/school boards are not be permitted to charge for school or course registration. However, the legislation acknowledges that it may be necessary for schools/school boards to sell certain supplies to students, such as consumable workbooks, CD-ROMs, specific art supplies, optional enrichment materials, locks, and other items they would be required to use in school. Section 13(2)(a) is therefore intended to refer to items which become the property of the student by virtue of payment of the "fee". Students are expected to pay for these items. Payment is **not** considered "voluntary".

However, the legislation prevents schools/school boards from denying a student access to a school, course, or program only because this fee has not been paid. Section 14 (1) of the *Schools Act, 1997* is designed to ensure no student is denied an education because of a legitimate inability to pay. It reads:

14 (1) A person shall not be denied enrolment or attendance at a school or a program or courses of study in a school, other than a private school, by reason only that a fee referred to in subsection 13(2) has not been paid.

This section of legislation is designed to ensure children who are truly unable to afford school fees will not be denied an education. It is not intended to be used as a means of intentionally avoiding the payment of legitimate fees.

The Fundraising Levy

The current legislation also acknowledges that schools might wish to raise extra funds for school programs and services which, while of educational value, are not part of the prescribed curriculum (e.g., a viewing of a play, attendance at a concert, or additional equipment and materials used in enhanced programs). Schools have also traditionally raised funds for school equipment, events and activities such as ski trips, yearbooks, graduation ceremonies, and "Spirit Days", which may not be directly related to curriculum but are considered a valued part of school life. Methods of raising money include "pizza days", walk-a-thons, bake sales, chocolate sales, recycling programs, and other similar projects.

Government does not limit, or interfere in, the fundraising efforts of individual schools, each of which has its own special projects and programming priorities. However, some parents do not want their children involved in fundraising activities, while others do not wish to be approached on several separate occasions to contribute to one fundraising drive or another.

For that reason, the *Schools Act (1997)* places responsibility for deciding the level and nature of fundraising activity with school councils, which represent parents, the community, teachers and (for high schools) students, and is subject to school board bylaws.

Section 26 of the Act, which governs the activities of school councils, includes a provision which enables them to charge a fundraising fee, commonly known as the levy, and to approve and monitor fundraising activities at the school. It reads:

> **26** (3) School councils shall . . .(c) approve and monitor activities for the raising of funds.
>
> (4) The school council may, subject to the bylaws of the board, approve a levy, the payment of which is voluntary, once in a school year, instead of, or as a supplement to, fundraising activities for the school.

Some schools ask parents to pay a voluntary levy, the amount of which generally ranges from $10 to $50. Many parents pay it with the understanding it will excuse them, and their children, from further fundraising activities.

The cost of supplies that are provided by the school, to the student, and the voluntary fundraising levy are the only fees referenced in the *School Act, 1997.* Any other payments or contributions parents are asked to make originate at the school level – a distinction which is often lost in the debate over "school fees". The degree to which an individual school chooses to enhance the curriculum, and the ability of the school to raise extra funds through its community partners, can therefore determine the amount parents are asked to contribute for materials and school-related activities.

Consultations

In Fall 2003, the Department of Education began a series of consultations with key education stakeholders to discuss the issues associated with school fees and the rising cost of school-related items and activities for which parents are expected to contribute.

Among those consulted were: the Community Services Council and the MacMorran Community Centre, which co-produced "Expanding Their Universe, Reshaping the Future — *A Report on the Impact of School Fees and Fundraising on Social Inclusion*."; the Newfoundland and Labrador Federation of School Councils (NLFSC); the Newfoundland and Labrador School Boards Association (NLSBA); the Newfoundland and Labrador Teachers' Association (NLTA); various school board officials; current and former school principals (primary, elementary, intermediate and secondary); current and former classroom teachers; and parents with children in the school system.

Issues and Concerns

The concerns expressed about fees associated with education in recent years include:

- confusion over what constitutes a legitimate "school fee" and the difference between school fees as defined by legislation and the cost of materials parents are expected to purchase for their child in preparation for the school year;
- the rising cost of school-related fees, the nature of some of the school supplies/services expected to be purchased by parents, and the lack of consistency, from district to district and from school to school, in the amounts charged;
- uncertainty over which fees are "voluntary";
- an increase in fundraising activities and the frequency of requests for contributions for various events and activities;
- the different educational opportunities experienced by students, depending on the relative affluence of the school community and its willingness to contribute;
- the pressure felt by students, parents, teachers and administrators over the collection of various fees and the potential exclusion of some students from school-based programs and activities because of an inability to pay; and
- the difficulty being experienced by schools which must absorb the cost of materials and services provided to students when school fees are not paid or school supplies are not provided by parents.

What We Heard

In the course of holding stakeholder consultations on a publicly-funded service, it is expected that many will express an interest in seeing a greater share of available public monies directed towards that service. This was true of this consultation process as well. In advocating for greater investment in education, some cited the rising costs associated with an increasingly resource-based curriculum and for school supplies – including administrative equipment, computer equipment, physical education equipment, musical instruments, art supplies, and other items. It was also clearly stated that government should not consider "eliminating" any fees or restricting fundraising activities without identifying funding to replace the money collected through these efforts.

The point was also made, however, that simply investing more money in schools to cover certain costs would not necessarily mean parents would be asked to contribute less. Schools could, for example, start charging for other items and services hitherto provided free of charge or increase the amount of fundraising activities in which students and parents are asked to participate.

Meanwhile, although questions arise about school fees and other school costs across all jurisdictions, the majority of negative public reaction has traditionally occurred in urban areas. This may be attributable to a number of factors. For example, in larger communities, there can be greater opportunities to enhance the curriculum because of proximity to museums, historic attractions, performance events, such as plays and concerts, and sports programs, such as swimming and skating lessons. However, these opportunities also have a cost associated with them, whether it be an instructional fee for swimming lessons, an admission fee to a performance, or just the cost associated with transporting the students to the event/facility. Schools ask parents to pay for these enhanced educational experiences.

Again, although the costs of these activities are not "school fees" as defined by legislation, they are seen as "curricular" and some parents feel they should not be asked to pay — no matter how many activities occur at an individual school. On the other hand, other parents want, and demand, that their children have access to as many education-enhancing activities as possible. These parents find it appropriate and convenient for those activities to be offered through the school system — and are willing to pay for it.

In addressing the aforementioned issues and concerns over school fees, a number of common experiences and reports emerged during the consultation process.

Confusion — "School Fees" versus Other Costs

There is clearly confusion, including within the education system itself, over the term "school fees", what these fees are supposed to cover, and which fees are, in fact, voluntary. Given that various schools and school boards include different items under the category of "school fees", this becomes a source of misunderstanding and frustration among parents and others. It also creates a problem when trying to address the issue, as the term "school fees" has different meanings to different stakeholders.

In addition, some parents are not aware that there is a variance in school fees, the cost of school supplies they purchase themselves, as well as other costs associated with education depending on:

- an individual classroom teacher's preferred use of particular resources and supplies;
- the specific programs and services offered at a school;
- the nature and frequency of special events, field trips, and other activities;
- individual school district policies governing school fees/material costs; and
- the financial support available to a school through other community partners.

Rising Costs — School Fees, The "Materials List", and Inconsistencies

Parents have always been expected to provide their children with school supplies. However, in recent years, many schools – and individual teachers – have provided parents with a list of items they are expected to purchase/provide for their child for September. The resultant costs are not "school fees" *per se*, although parents often refer to them as such.

There is no standard template for the lists sent home to parents or consistency in the items parents are asked to purchase. Some lists are very prescriptive and require parents to purchase a myriad of classroom items, including specific brand-name items such as coloured pencils, crayons and binders. As noted previously, concerns have been expressed in the last number of years about some of the items individual teachers/schools have included on these lists (e.g., Kleenex, plastic storage boxes, lunch placemats, facial wipes and Band-Aids) and the fact that the total cost can be prohibitive. In addition to special clothing, swim suits, skates and other items required if children are to participate in the majority of school-related activities, the costs can be high – causing problems for those of limited means.

The "list" often includes a separate entry for "school fees". These are the fees referenced in legislation (for supplies provided by the school) and generally include items such as student agendas, consumable workbooks, and photocopied resources/worksheets/exam papers. The amount generally ranges from $10 to $50, although some schools charge less and some charge more. In the past, parents have complained that there was no itemization of this fee, so they were unaware of what they were purchasing. Most schools now provide a breakdown of school fees. This, however, has raised other issues, as sometimes the items listed under "school fees" do not correspond with the legislated definition. In addition, some parents question why they are charged for items such as photocopied exam papers and worksheets. Many believe the instructional grants provided by government should be sufficient to cover such costs.

For students in Grade 9 and above, the "materials/fees list" sent home to parents also includes the cost of textbooks, for which government provides a subsidy of 40%. Even with this subsidy, or when the books are purchased second-hand, some families find it difficult to finance this purchase. Some schools have introduced the practice of "renting" books, novels and optional resources to students in an effort to keep costs down, and establish a fund to replace lost or damaged resources. However, some parents object to this practice as well. They insist the books should either become the property of the students or be provided free of charge. Similarly, while most schools sell or rent locks to students, some rent the actual locker as well, a practice which has raised concern. Some consider

lockers to be part of a school's infrastructure, much like washbasins and water fountains, and parents feel students should not be forced to pay a user fee.

Increased Fundraising Activities

Schools make every effort to provide enhanced educational experiences for students, as well as more school equipment and resources as they deem appropriate. However, the amount of equipment and resources a school hopes to purchase often determines the amount of fundraising activity (e.g., "pizza day", flea markets, vegetable sales) sponsored by the school.

Some parents complain that the frequent requests for contributions for various fundraising activities is both aggravating and, in some cases, a financial burden. While participation in fundraising activities is voluntary, students feel pressured to take part if most of the classmates are involved and therefore parents feel obliged to contribute.

Provisions in the *Schools Act, 1997* which require school councils to control the level and nature of all fundraising activities at their school was designed to alleviate this problem. In developing the legislation, it was reasoned that a council composed of school and community representatives would be in the best position to know what fundraising activities were appropriate in their respective areas. It appears, however, that some problems persist in that not all school councils are, in fact, approving **all** fundraising activities at their respective schools.

Inequities Within the Public School System

Given that different schools have differing abilities to raise funds — either because of the size of the school population, the socio-economic make-up of the school community, or the relative affluence of the community itself — some people feel students within the public education system are having very different educational experiences depending on what school they attend.

While the Department of Education provides funding for the prescribed K-12 program which is required to be completed by all students, individual schools and teachers choose to enhance this programming through various means, such as supplementary resources and field trips. The Department acknowledges the value of these program enhancements, wherever they are practical and possible; however, as noted previously, much of the public remains unaware that the nature of program enhancements and the associated costs originate at the school level. In short, the number of activities offered at a school is decided by the school and is directly linked to the amount of money it has available to it. A decision to request payment from parents is also decided at the school level, and the frequency of requests for money for this programming is often a source of frustration and financial hardship on parents.

Burdens, Pressures and Issues of Exclusion

Stakeholders felt students, parents, teachers and administrators often felt burdened and pressured as the result of school fees and other charges associated with education. Some stakeholders noted:

- Students and parents feel pressure to remit fees and to pay for other items and activities originating at the school, even if these activities are voluntary in nature (e.g., book fairs, swimming lessons, T-shirts, class rings).
- Teachers also feel pressure to collect fees from their students, and
- Administrators feel pressure from parents who expect the school to provide enhanced educational opportunities to students, but might not necessarily expect to pay for these enhancements.

Administrators also reported being frustrated that some parents who can clearly afford to pay school fees and the cost of other school-related activities in which their children are involved choose not to do so, based on a perceived "principle" that every aspect of a child's education should be free. Administrators say this reduces the amount of programming enhancements and other activities a school can provide.

Meanwhile, despite school board and, in some cases, school-based policies which state that adequate provision will be made for students who are unable to afford the cost of school supplies and/or co-curricular activities such as field trips, there were representations that some students are excluded from certain activities and are often identified, even within the classroom, as having failed to pay certain fees.

Responses to this issue were varied among the stakeholders consulted. While some felt no student should be denied an opportunity to engage in any co-curricular or extra-curricular activity sponsored by a school, others felt schools should offer as many educationally enriching experiences as possible, and let parents choose the ones in which their children participate.

Consensus opinion was that there should be no attempt by external authorities to limit enhancements to the curriculum or co-curricular activities. However, it is clear that some parents have concerns about the number of field trips and other activities which require a parental contribution.

Shared Responsibility

All education stakeholders have a role to play in bringing clarity and consistency to issues surrounding school fees and other school-related costs – from those at the government, school board and school council levels to the teacher in the classroom. Parents also share in the responsibility to help schools offer children the best co-curricular educational opportunities they possibly can. Many, in fact, expect schools to provide additional resources, diversified programming and challenging "life experiences" which will enhance the overall social and educational development of their children. But enhancements to public education come at a personal cost. The key to supporting these activities is for schools to set an appropriate level of co-curricular programming, ensure parents understand the associated costs, and be satisfied that it is affordable for families and the school

community as a whole. There must also be recognition that school fees will vary – from school to school and district to district – depending on the nature and frequency of events and opportunities offered through the school.

Government is responsible for legislation governing the imposition of school fees, while school boards are responsible for developing policies for schools within their jurisdiction which adhere to that legislation. Government, through the Department of Education, has a responsibility to provide a high quality K-12 public education program to all students – no matter where they live in the province – to enable them to meet the challenges of post-secondary pursuits. This is a major challenge in an era of declining enrolment. In meeting that challenge, in 2003-04, government spent an average $7,688 on the education of every K-12 student in Newfoundland and Labrador. This provision was made through grants to district school boards. School boards, in turn, have some flexibility to manage their respective budgets to maximize this investment, taking into account the specific circumstances and needs of individual schools within their jurisdiction. School boards are also responsible for ensuring the policies which exist around school fees and other costs related to education are being implemented at the schools within their jurisdiction.

School councils have legislated responsibility to promote policies and practices which enhance school programs – and to approve and monitor the fundraising activities which support them. This legislation recognizes that school-based professionals and the school community are in the best position to determine the appropriate balance between enhanced programming and the community's ability to support that programming.

School-based administrators and educators have a responsibility to provide students with the best educational experiences within their means. Meanwhile, because the fee structure for various school-based programming and activities originates at the school level, it is also important that schools be conscious of the nature and frequency of requests for parental contributions. It must also be acknowledged that many teachers volunteer their time and efforts to provide enriching experiences for students after school hours and on weekends, thereby providing added value to whatever cost is borne by parents.

It is incumbent on all education authorities to ensure legislation and school board policies are being adhered to in the implementation of school fees and other school-related costs, and that parents are informed as to the purpose of various fees and the materials, enhanced programming and services their child is receiving through payment. It is also important that all players are sensitive to the fact that school fees and other school-related costs which may arise throughout the school year can pose a financial burden on some families, and to develop contingency plans for those who may be genuinely unable to pay the full cost. It is important to note, however, that these aspects of the school fees issue are reflected in current school and school board policies - and are widely practiced. There are, however, isolated exceptions where schools need to ensure such policies are respected.

Actions

Based on the stakeholder consultations, and in consideration of the issues and concerns expressed, the Department of Education has determined it can take a number of actions at this time to clarify issues around school fees and help develop, in partnership with school boards, certain standard guidelines and practices for the imposition of fees within schools.

The Department of Education will:

- Develop a web site section devoted to the issue of school fees and other school-related costs which would include specific information on legislated school fees, answers to frequently asked questions, web links to individual school board policies, among other information.

- In consultation with school boards, ensure policy guidelines for school fees/materials fees adhere to legislation, are easily accessible to education stakeholders, and are designed to ensure no child is stigmatized within the school environment – or excluded from a school program or activity – solely because a fee has not been paid.

- Examine, in consultation with school boards, the potential to develop a standard template for school fee/school supply/book lists sent home to parents in June which would provide clear separation of "school fees" as defined by legislation (supplies provided by the school, to the student), school resources/supplies to be provided by parents, and fundraising levies or activities for which payment is voluntary.

- Work with school boards to ensure all board-based school fees policies are implemented and monitored, on a regular basis, in schools within their jurisdiction.

- Work with school boards to ensure school authorities are aware of the need to strike a balance between the number co-curricular activities that require a parental contribution and the ability of the school community to afford any associated costs.

- Work with school boards and school councils to examine school-based policies and practices surrounding school fees and fundraising to ensure they adhere to board policy and to examine practices surrounding fundraising events held during the school day (e.g., book fairs, flea markets, pizza days) to ensure students are not excluded, albeit unintentionally, from participating.

- Create awareness within school districts and schools of the need to:

  - make special arrangements for parents who may find it difficult to pay the total cost of school-related fees at one time.
  - develop a "calendar of events" which includes both school-based activities and fundraising initiatives which require, or request, a parental contribution, so that parents have an opportunity to plan accordingly.

- maintain a fund to pay any shortfalls arising from non-payment of a fee associated with a field trip or activity - in which all students are encouraged/expected to participate - to ensure no student who wishes to participate is excluded because of a genuine inability to pay.

The Department of Education believes this action plan will help clarify issues surrounding school fees and present them in the larger context of the challenges of providing public education in Newfoundland and Labrador. It is designed to address aspects of the issue that have been a concern in recent years and encourage all stakeholders to have a greater appreciation of each other's perspectives. Over the coming months, the Department will be working with all school boards to develop and implement policies and procedures which will guide future practice.